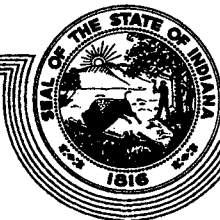


STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-2764

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NOV 02 2005

IN THE MATTER OF THE INDIANA
UTILITY REGULATORY COMMISSION'S
INVESTIGATION OF ISSUES RELATED TO
THE IMPLEMENTATION OF THE FEDERAL
COMMUNICATION COMMISSION'S
TRIENNIAL REVIEW REMAND ORDER
AND REMAINING PORTIONS OF THE
TRIENNIAL REVIEW ORDER

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42857

You are hereby notified that on this date the Presiding Officers in this Cause make the following Entry:

An Evidentiary Hearing is scheduled in this Cause for November 10, 2005. As noted in the Commission's September 7, 2005 Prehearing Conference Order, the parties to this proceeding have agreed to waive cross-examination of witnesses at the Evidentiary Hearing. The Presiding Officers and Commission staff have reviewed the parties' prefiled testimony and have no clarifying questions to ask at the Evidentiary Hearing. Therefore, the parties' witnesses are not required to attend the Evidentiary Hearing. If witnesses sponsoring prefiled testimony do not attend the Evidentiary Hearing, the parties should ensure that prefiled testimony to be offered into the record is accompanied by the appropriate signed verifications or affidavits.

Insofar as this proceeding concerns implementation of the Federal Communication Commission's ("FCC's") Triennial Review Remand Order ("TRRO") and the remaining parts of the Triennial Review Order ("TRO"), the FCC's timeframe for implementation of the TRRO has applicability to this proceeding. Accordingly, this Cause is on track for the Commission to issue an Order on or before January 11, 2006. A schedule for filing proposed Orders in this Cause was established in the Commission's September 7, 2005 Prehearing Conference Order. It will be helpful to Commission staff, the Presiding Officers, and the parties to review proposed Orders that are topically and organizationally consistent. The parties, therefore, should follow these directives:

Following the standard, introductory components of a Commission Order, such as jurisdiction and background information, each party should present a summarization of only its own witnesses' testimony and exhibits as to a particular issue or related group of issues, followed by its proposed Commission Discussion and Findings with respect to that issue or group of issues. The parties, therefore, should work together to agree on identifying the issues to be included in the proposed Orders, the appropriate order in

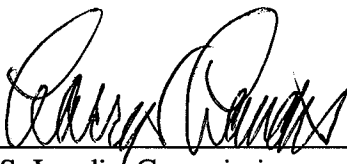
which those issues are presented, any appropriate grouping of issues, and a consistent numbering scheme. The result of the parties' collaboration should be an agreed-upon outline for proposed Orders. The numbering and topical organization of the agreed-upon outline should directly correspond to the numbering and topical organization of the proposed Orders.

A style of proposed Order that will not be considered useful is one in which the evidence is summarized in a manner or voice that reads as if the Commission is promoting or is in agreement with a particular position. A summary of the testimony of each witness will necessarily include the advocacy of a particular position, but that advocacy should be clearly attributable to the testimony of the witness and not to any express statements or implied opinions of the Commission. The place in the Commission's Order, and in the parties' proposed Orders, for the Commission to evaluate and comment on the evidence is in the Discussion and Findings section for each issue or group of issues. The requirement that each party refrain from proposing a summarization of the other party's evidence should help in this regard.


Proposed orders with topical and organizational consistency will allow the Presiding Officers and Commission staff, as well as the parties, to readily compare and contrast proposals regarding the same or related issues or group(s) of issues.

An agreed-upon outline for proposed Orders should be filed with the Commission and served on all parties on or before November 10, 2005. If the parties fail to file an agreed-upon outline, or if they file proposed Orders that are inconsistent with the submitted outline, the Presiding Officers will prescribe the outline for proposed Orders and/or require resubmission of proposed Orders consistent with the same. The Commission also retains the right to extend the procedural schedule if parties do not follow these instructions.

IT IS SO ORDERED.



Larry S. Landis, Commissioner



William G. Divine, Administrative Law Judge

11-2-05

Date